

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application. Applicants reserve all rights to file continuation applications to continue the prosecution of claims canceled by this amendment.

**Listing of Claims:**

1-18. (Canceled)

19. (Previously Presented) The device according to claim 34, wherein said metal alloy is stainless steel.

20. (Currently Amended) The device according to claim 37 +8, wherein said elongated members are interwoven to form a knit material.

21. (Currently Amended) The device according to claim 37 +8, wherein said jacket has a first axis and a second axis with said jacket inclined to stretch in a direction of said first axis by a different amount than in a direction of said second axis in response to a given force.

22. (Currently Amended) The device according to claim 37 +8, wherein said jacket is configured to constrain at least a lower portion of the heart.

23. (Currently Amended) The device according to claim 37 +8, wherein said jacket is dimensioned to circumferentially surround said heart.

24. (Currently Amended) The device according to claim 37 +8, wherein at least one of said elongated members comprises a plurality of fibers.

25. (Currently Amended) The device according to claim 37 +8, wherein said elongated members define a plurality of open areas between opposing elongated members.

26. (Currently Amended) The device according to claim 37 +8 further comprising a lining.

27. (Currently Amended) The device according to claim 37 18 further wherein said lining is an anti-fibrosis lining.
28. (Currently Amended) The device according to claim 37 18 further comprising a coating on said elongated members.
29. (Previously Presented) The device according to claim 28 wherein said coating is an anti-fibrosis coating.
30. (Currently Amended) The device according to claim 37 18 wherein said jacket is sized to cover and surround a valvular annulus of said heart.
31. (Previously Presented) The device according to claim 28 wherein said jacket is sized to cover and surround the ventricles of said heart.
32. (Previously Presented) The device according to claim 28 wherein said jacket is sized to cover and surround the atria of said heart.
33. (Cancelled).
34. (Currently Amended) The device according to claim 37 18, wherein said metal is a metal alloy.
35. (Currently Amended) The device according to claim 37 18, wherein said jacket is collapsible for placement through a minimally invasive surgical instrument.
36. (Cancelled).

37. (Currently Amended) The device ~~according to claim 18~~, for treating a disease of a heart, the device comprising:

a jacket adapted to be secured to said heart and said jacket is dimensioned so as to conform to an external geometry of said heart to constrain circumferential expansion of said heart during diastole and permit substantially unimpeded contraction of said heart during systole.

wherein said jacket comprises a plurality of flexible elongated members interconnected to form a jacket material, wherein said elongated members are metal, and wherein said jacket is expandable; and

wherein said jacket has a closed apex.

38. (Currently Amended) The device according to claim 37 ~~18~~ wherein said jacket is adapted to constrain said heart from expanding beyond a maximum volume.

39-52. (Cancelled).